

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 2021 - HB 2547

March 14, 2016

SUMMARY OF BILL: Establishes a \$5,000 fine for any conviction of assault that causes bodily injury regardless of the class of victim.

Establishes a \$15,000 fine for any conviction of aggravated assault.

Requires a court to order the defendant to pay restitution to the victim regardless of the class of victim.

Repeals the Class A misdemeanor for aggravated assault committed when a person causes physical injury to any public employee or an employee of a transportation system while the employee is performing his or her duties.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

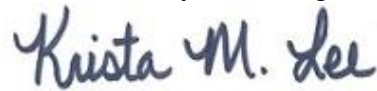
- Tennessee Code Annotated § 39-13-101 establishes the offense of assault. Tennessee Code Annotated § 39-13-101 also establishes an increased fine of \$5,000 for any assault committed against a law enforcement officer or a health care provider.
- The bill increases the fine for assault to \$5,000 for all assaults, regardless of the victim.
- Tennessee Code Annotated § 39-13-102 establishes the offense of aggravated assault and the offense of causing physical injury to any public employee or an employee of a transportation system while the employee is performing his or her duties.
- Tennessee Code Annotated § 39-13-102 also establishes an increased fine of \$15,000 for any aggravated assault committed against a law enforcement officer, firefighter, medical fire responder, paramedic, emergency medical technician, health care provider, or any other first responder.
- Tennessee Code Annotated § 39-13-102 requires a court to order restitution to a victim if the victim is a correctional officer, guard, jailer, or other full-time employee of a penal institution and the person committing the assault was an inmate at the time of the offense.
- The bill increases the fine for aggravated assault to \$15,000 for all aggravated assaults, regardless of the victim; repeals the offense of causing physical injury to any public

employee or an employee of a transportation system while the employee is performing his or her duties; and requires a defendant to pay restitution to any victim.

- Based on the Fiscal Review Committee's 2008 study and the Administrative Office of the Courts' 2012 study on collection of court costs, fees, and fines, collection in criminal cases is insignificant. There will not be a significant increase in revenue as a result of the mandatory minimum fines for these offenses.
- The offense of causing physical injury to any public employee or an employee of a transportation system while the employee is performing his or her duties is a Class A misdemeanor. It is assumed that repealing this offense will not significantly impact local incarceration costs.
- It is assumed that requiring restitution to victims will not significantly impact state operations.
- It is assumed that any impact on the operations of state corrections, courts, district attorneys, and public defenders can be accommodated within existing resources.
- The Department of Correction, Administrative Office of the Courts, District Attorneys General Conference, and District Public Defenders Conference confirm that any impact can be accommodated within existing resources.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/trm